



Attorney File No. 1053R-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Michael Graupe, et al.

Application No.: 10/603,437

Group Art Unit: Unassigned

Filed: June 24, 2003

Examiner: Unassigned

For: PEPTIDIC COMPOUNDS AS CYSTEINE PROTEASE
INHIBITORS

INFORMATION DISCLOSURE STATEMENT

Mail Stop DD
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants submit herewith patents, publications or other information (listed on the attached Form PTO/SB/08A) pursuant to 37 CFR §1.56.

This Information Disclosure Statement:

- (a) ☐ accompanies a new patent application submitted herewith.
- (b) ☐ is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR §1.491.
- (c) ☒ as far as is known to the undersigned, is filed before the mailing date of a first Office action on the merits.
- (d) ☐ as far as is known to the undersigned, is filed before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114.
- (e) ☐ is filed after the first Office Action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final action under §1.113, a notice of allowance under §1.311, whichever occurs first, and is accompanied by either the fee (\$180) set forth in 37 CFR

§1.17(p) or a certification as specified in 37 CFR §1.97(e), as checked below. Should any fee be due, the U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 01-2213 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement. Any deficiency or overpayment should be charged or credited to this deposit account. **A duplicate of this sheet is enclosed.**

- (f) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, but on or before the payment of the issue fee, and is accompanied by the fee (\$180) set forth in 37 CFR §1.17(i)(1) and a certification as specified in 37 CFR §1.97(e), as checked below. **This document is to be considered as a petition requesting consideration of the information disclosure statement.** The U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 01-2213 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement. Any deficiency or overpayment should be charged or credited to this deposit account. **A duplicate of this sheet is enclosed.**

[If either of boxes (e) or (f) is checked above, the following "certification" under 37 CFR §1.97(e) may need to be completed.] The undersigned certifies that:

- ☐ Each item of information contained in the information disclosure statement was first cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this information disclosure statement.

A copy of the items on PTO-1449 is supplied herewith:

☒ each ☐ none ☐ only those listed below:

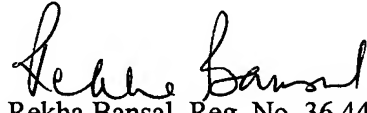
As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO/SB/08A, and to indicate in the official file wrapper of this patent application that the documents have been considered.

Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to charge the undersigned's Deposit Account No. 50-0970.

Respectfully submitted,

Date: 1/13/04


Rekha Bansal, Reg. No. 36,440
Attorney for Applicants

Celera, an Applera Corporation Business
180 Kimball Way
South San Francisco, California 94080
Tel.: (650) 829-1000
Fax: (650) 866-6701

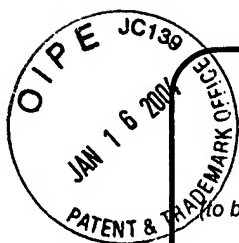
Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/603,437
	Filing Date	June 24, 2003
	First Named Inventor	GRAUPE, Michael
	Group Art Unit	1614
	Examiner Name	Unknown
Total Number of Pages in This Submission	Attorney Docket Number	1053R-US

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): -Form PTO/SB/08A (w/16 cited refs.) -Copy of Intl. Search Report (11 pgs) -Return Postcard
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 50-0970.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm and Individual name	CELERA, AN APPLERA CORPORATION BUSINESS Rekha Bansal 36,440
Signature	
Date	1/13/04

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: January 13, 2004		
Typed or printed name	Gail C. Diehl	
Signature		Date January 13, 2004

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Sh

Sheet	1	of	3	Attorney Docket No.	1053R-US
-------	---	----	---	---------------------	----------

[illegible]

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
		WO	00/55124		Axys Pharmaceuticals, Inc.	09/21/00		
		*WO	00/55144		Axys Pharmaceuticals, Inc.	09/21/00		
		*WO	01/19816		Boehringer Ingelheim Pharmaceuticals, Inc.	03/22/01		
		WO	01/19808		Axys Pharmaceuticals, Inc.	03/22/01		
		*WO	01/19796		Axys Pharmaceuticals, Inc.	03/22/01		
		*WO	01/68645		Axys Pharmaceuticals, Inc.	09/20/01		
		*WO	02/20485		Boehringer Ingelheim Pharmaceuticals, Inc.	03/14/02		
		*=Cited in ISR						

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. IDS SB

Please type a plus sign (+) inside this box. → ☐

PTO/SB/08A (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449A/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Application Number	10/603,437
				Filing Date	June 24, 2003
				First Named Inventor	GRAUPE, Michael
				Group Art Unit	Unknown
				Examiner Name	Unknown
Sheet	2	of	3	Attorney Docket No.	1053R-US

		*WO	02/051983		Celera, an Applera Corporation Business	07/04/02		
		*WO	02/098850		Axys Pharmaceuticals, Inc.; Aventis Pharmaceuticals	12/12/02		
		*WO	03/024923		Axys Pharmaceuticals, Inc.	03/27/03		
		*WO	03/029200		Boehringer Ingelheim Pharmaceuticals, Inc.	04/10/03		
		WO	03/037892		Boehringer Ingelheim Pharmaceuticals, Inc.	05/08/03		
		*=Cited in ISR						

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

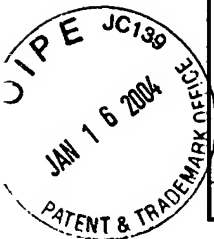
Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. IDS SB 08A_01.09.04.doc

+

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**Compleat if Known**

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	3	of	3	Attorney Docket No.	1053R-US
-------	---	----	---	---------------------	----------

Application Number	10/603,437
Filing Date	June 24, 2003
First Named Inventor	GRAUPE, Michael
Group Art Unit	Unknown
Examiner Name	Unknown
Attorney Docket No.	1053R-US

OTHER ART - NON PATENT LITERATURE DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. IDS SB
08A 01.09.04.doc